# CITY OF EUREKA CITY COUNCIL/ REDEVELOPMENT AGENCY /PUBLIC FINANCING AUTHORITY AGENDA

Marian Brady 1<sup>st</sup> Ward Linda Atkins 2<sup>nd</sup> Ward Mike Newman 3<sup>rd</sup> Ward Melinda Ciarabellini 4<sup>th</sup> Ward Lance Madsen 5<sup>th</sup> Ward



Frank J. Jäger, Mayor

REGULAR MEETING TUESDAY, MARCH 15 2011 CLOSED SESSION 5:00 P.M. REGULAR SESSION 6:00 P.M. COUNCIL CHAMBER 531 K STREET EUREKA, CA 95501

David Tyson, City Manager Pam Powell, City Clerk William Bragg, Interim City Attorney

### **CLOSED SESSION**

If closed session items cannot be completed by 5:55 P.M., they will be continued at the conclusion of the regular agenda, provided there is time. If time does not allow then those closed session items will be continued to the next regular meeting.

# A. PUBLIC COMMENT PERIOD

(Limited to 3 minutes each speaker on closed session agenda items only)

B. Conference with legal counsel-existing litigation

Name of case: KFD Enterprises, Inc., dba Norman's Dry Cleaner v. City of Eureka (N.D. Cal. CV084571).

Pursuant to California Government Code Section 54956.9(a)

C. Conference with real property negotiators

Property: Coastal Dependent Industrial property located on the water side of Waterfront Drive, westerly of the Eureka Small Boat Basin; upland portion of APN 003-062-021.

Agency negotiator: David Tyson for the Eureka Redevelopment Agency

Negotiating parties: David Schneider

Under negotiation: price, terms, and conditions.

Pursuant to California Government Code Section 54956.8

D. Conference with labor negotiators

Agency designated representatives: David Tyson for City of Eureka

Employee organization: Unrepresented management, mid-management, and confidential employees.

Pursuant to California Government Code Section 54957.6

E. Conference with real property negotiators

Property: APN 002-241-011 (known as the Halvorsen Site)

Agency negotiator: David Tyson for the City of Eureka

Negotiating parties: Mission Swimpossible, Inc. Under Negotiation: price terms, and conditions

Pursuant to California Government Code Section 54956.8

**REGULAR SESSION – 6:00 P.M.** 

**ROLL CALL** 

INVOCATION

PLEDGE OF ALLEGIANCE

REPORT OUT OF CLOSED SESSION

**MAYOR'S ANNOUNCEMENTS** 

Presentation of Proclamations: Boys and Girls Club

Tsunami Warning Communications Test Welcome Home Vietnam Veterans Day

Presentation of Special Award: Presented by - Cliff Clendenen, 2<sup>nd</sup> District

County Supervisor

# **COUNCIL REPORTS / CITY-RELATED TRAVEL REPORTS**

#### **BOARD/COMMISSION REPORTS**

Keep Eureka Beautiful

#### **PUBLIC HEARINGS**

Public Hearings are scheduled for a time certain of 6:00 P.M. unless noticed otherwise, or as soon thereafter as possible.

1. Public Hearing – Schneider Cargo Storage Area Coastal Development Permit

Recommendation:

- 1. Hold a public hearing; and
- 2. Adopt the Findings of Fact as described in Exhibit "A" and approve the Coastal Development Permit subject to the Revised Conditions of Approval listed in Exhibit "B".

  (Community Development Director)
- 2. Application for Funding from the 2010/2011 Economic Enterprise Fund Allocation of the State Community Development Block Grant (CDBG)

Recommendation:

- 1. Hold a public hearing; and
- 2. Adopt a City Council Resolution approving an application for funding in the amount of \$500,000 from the Economic Enterprise Fund Allocation of the 2010/2011 State CDBG

Program.

(Redevelopment Director)

3. Open Door Community Health Center Coastal Development Permit, Tydd Street (APN No. 002-191-027, -028, -031)

Recommendation:

- 1. Hold a public hearing; and
- 2. Adopt the Mitigated Negative Declaration; and
- 3. Adopt the Mitigation Monitoring and Reporting Program

(MMRP) Exhibit C; and

4. Adopt the Findings of Fact described in Exhibit A; and5. Grant the Coastal Development Permit subject to

Conditions of Approval listed in Exhibit B.

(Community Development Director)

### **PUBLIC COMMENT PERIOD**

This is the time for members of the public who wish to be heard on matters that do not appear on the Agenda. You may also request that a matter appearing on the Consent Calendar be pulled and discussed separately. Pursuant to City Council Minute Order dated May 4, 1989, City Council policy is to limit each speaker to three (3) minutes. Such time allotment or portion thereof shall not be transferred to other speakers. Pursuant to City Council Minute Order dated June 6, 2000, the public will be allowed to speak concurrently with the calling of an agenda item following the staff presentation of that item.

Pursuant to the Brown Act, the City Council may not take action on an item that does not appear on the Agenda.

4. Is there any person in the audience who wishes to address the Council at this time?

# **CONSENT CALENDAR**

**Notice to the Public:** All matters listed under this category are considered to be routine by the City Council and will be enacted by one motion. Unless a specific request is made by a Councilmember or the public, the Consent Calendar will not be read. There will be no separate discussion of these items. However, if discussion is required, that item will be removed from the Consent Calendar and considered separately.

5. Amendment to Job Specification

Recommendation:

Amend the job specification of Support Services Manager (Police Department) by changing the job title to Project Manager; and

2. Adopt an amended Koff Study job specification for Project Manager which included appending a Police Department

assignment option to the essential job functions.

(Personnel Director)

6. Sidewalk Improvement Project Bid No. 2011-7

Recommendation: Award Bid No. 2011-7 to lowest responsive bidder, V and C

Construction in the amount of \$48,143.00.

(Public Works Director)

7. Eureka Public Financing Authority Debt Issuance

Recommendation:

1. Adopt a resolution of the governing board of the Eureka Public Financing Authority authorizing the issuance of Eureka Public Finance Authority Wastewater Revenue Bonds, Series 2011 and the execution and delivery of a trust agreement, an installment purchase agreement, a bond purchase contract and an official statement in connection therewith and approving a preliminary official statement therefore and delegating to the Secretary of the Authority the power to authorize the sale of said bonds and to take certain related actions in connection therewith: and

2. Adopt a resolution of the City Council of the City of Eureka authorizing execution of an installment purchase agreement with the Eureka Public Financing Authority and a bond purchase contract with said Authority and Piper Jaffray & Co. in connection with the financing of the City's 2011

wastewater project.

(Finance Director)

8. Bid Protest Procedure Policy

Recommendation: Adopt Policy No. 6.20 "Bid Protest Procedure" as a policy of

the City Council.

(Assistant City Manager)

9. Street Overlay 2010 Bid No. 2010-18

Recommendation: 1. Accept

1. Accept Street Overlay 2010 construction project; and

2. Authorize the filing of a "Notice of Completion: at the

Office of the County Recorder.

(Assistant City Manager)

10. Martin Slough Interceptor Phase 1 Easement Acquisitions

Recommendation:

1. Authorize staff to finalize negotiations with eight property owners for the acquisition of seventeen (17) easements for the Martin Slough Interceptor Project Phase 1; and

2. Approve an expenditure up to \$45,000 in Wastewater Funds for the acquisition of seventeen (17) easements for

the Martin Slough Interceptor Project Phase 1; and

3. Authorize the City manager to execute the documents to complete the acquisition of seventeen (17) easements for the Martin Slough Interceptor Project Phase 1.

# ORDINANCES/RESOLUTIONS

11. Highway Safety Improvement Program Project HSI

Recommendation:

- 1. Adopt a Resolution of the City Council accepting the HSIP Grant Project No. HSIP4-01-003 in the amount of \$338,500, for the West Avenue Improvement Project; and
- 2. Authorize the Assistant City Manager to execute all documents, agreements, applications, and payment requests which may be necessary for the completion of the project; and
- 3. Approve local match funding of \$37,610 from Proposition 42 gas tax funds.

(Assistant City Manager)

12. Adult Softball Program

Recommendation:

Restore Adult Softball Program by utilizing higher participation fees to offset program costs; and
 Adopt Resolution of the City Council to increase participation fees by 28% for Adult Softball Program.
 (Public Works Director)

 Funding for Eureka Waterfront Access Project Recommendation: Adopt Resolution of the

Adopt Resolution of the City Council approving the grant of funds from the State Coastal Conservancy for Eureka Waterfront Access Project (Grant Agreement No. 10-068).

(Public Work Director)

# **REPORTS/ACTION ITEMS**

14. Watershed Restoration Efforts

Recommendation: Rece

Receive report about watershed restoration work being done by the California Conservation Corps through Proposition 84 funding.

(Public Work Director)

15. Medical Cannabis Selection Committee Recommendations

Recommendation:

1. Receive presentations from Compassionate Care of Eureka, Humboldt Bay Wellness, and Natural Green Health Center.

2. Invite Compassionate Care of Eureka to submit an application for a Conditional Use Permit to establish a

medical cannabis cultivation, production and distribution facility in city limits; and

- 3. Invite Humboldt Bay Wellness to submit an application for a Conditional Use Permit to establish a medical cannabis distribution only facility in city limits; and
- 4. Invite Natural Green Health Center to submit an application for a Conditional Use Permit to establish a medical cannabis cultivation, production and distribution facility in city limits.

(City Manager)

16. Martin Slough Interceptor Phase 1-Consultant Services during Construction Recommendation: Authorize staff to prepare and execute contracts with

consultant firms for services during construction for Phase 1

of the Martin Slough Interceptor project.
(Assistant City Manager)

17. Finance Advisory Committee Work Program

Recommendation: 1. Direct Finance Advisory Committee to provide a report on

City budget and financial policies; and

2. Provide a report on City infrastructure and proposed

funding alternatives.

(Councilmember Newman)

18. Coastal Commission Appointment

Recommendation: Submit nomination(s) for Coastal Commission appointment

to the Mayor City Selection Committee.

(City Manager)

19. Fee Waiver for Use of Adorni Building

Recommendation: 1. Deny request for rental fee waiver for League of Women

Voters use of the Adorni Building.

(City Manager)

## CITY MANAGER/EXECUTIVE DIRECTOR'S REPORTS

Police Department Monthly Report

## **ADJOURNMENT**

If open session items cannot be completed by 9:30 P.M., the meeting may be adjourned to the next regular meeting or Council may vote to extend the meeting.

#### **NOTICES**

- The City Council agenda and supporting documents are available for public review on the Friday afternoon prior to the Tuesday meeting at the City Clerk's Office, the Eureka Humboldt County Library and on-line at <a href="https://www.ci.eureka.ca.gov">www.ci.eureka.ca.gov</a>.
- The numerical order of items on this agenda is for convenience of reference.
   Items may be taken out of order upon the request and consensus of the Mayor and Council.
- Any writing that is a public record not exempt from public disclosure and relating to an agenda tem for open session of the City Council is available for public inspection at the Office of the City Clerk, 531 K Street, Room 207, Eureka, CA 95501.
- The meeting rooms are ADA accessible. Accommodations and access to City meetings for people with special needs must be requested of the City Clerk at 441-4175 72 hours in advance of the meeting. This agenda and other materials are available in alternate formats upon request.
- All persons in attendance at public meetings are requested to observe the following rules of civil debate:
  - 1. We may disagree, but we will be respectful of one another.
  - 2. All comments will be directed to the issue at hand.
  - 3. Personal attacks are unacceptable.

Applauding or other displays of approval/disapproval are discouraged.

- Regular City Council/Redevelopment Agency meetings are broadcast live by Humboldt Access on Cable Channel 10. Council meetings can also be viewed on line at <a href="https://www.accesshumboldt.net">www.accesshumboldt.net</a> – Search archives "Eureka City Council Meetings".
- To minimize distractions, please be sure all personal communication devices are turned off or on silent mode.

Questions? Please e-mail <u>ppowell@ci.eureka.ca.gov</u> or contact the City Clerk's office at (707) 441-4175.